

GEN. MILES CENSURED

By the Secretary of War for Having Expressed an Opinion in the Schley Case.

By Direction of the President the General is Called on for an Explanation of His Recent Newspaper Interview on the Subject—The General's Explanation Not Being Satisfactory to the Powers that Be He is Given a Most Scathing Rebuke by the War Secretary for Meddling in Matters that do Not Concern Him—The Affair Causes a Sensation in Army and Naval Circles.

Washington, December 21.—A determination on the part of the administration absolutely to terminate further discussion of the Sampson-Schley controversy took shape in the publication today of some remarkable correspondence that has passed between Secretary Root and Lieutenant General Miles, relative to the latter's interview, published in a Cincinnati paper, commenting upon the Schley case. When the interview appeared it attracted considerable attention officially, but after the lapse of two days without any sign of official action, the conclusion became general that the interview would be ignored. Therefore, the publication this afternoon of the full correspondence on this subject created a sensation in army and navy circles.

It is seldom so severe a reprimand is administered to an officer of high rank in either service. What the result may be cannot be foretold, although it is assumed that General Miles will submit without further comment.

The nearest parallel to this case of late years, excluding the incidents connected with the celebrated beef inquiry, was that of Rear Admiral Richard Meade, who, upon returning from a cruise in Venezuelan waters with the White squadron, accorded an interview to a New York newspaper, severely criticizing the administration for its lack of vigor in dealing with the Venezuelan question. The outcome of that case was the early retirement of the rear admiral from active service.

That General Miles appreciates the situation is shown by the deep concern he manifested today and his frequent visits to the office of Secretary Root. It was necessary for him to write two letters to meet the demands of the department, and even then, there was no expression of satisfaction on the secretary's part at the second explanation. However, Secretary Root himself regards the incident as closed. At least he does not propose to take any further action unless obliged to do so.

The full text of the correspondence which passed between the secretary of war and General Miles, follows:

"War Department, Washington, December 21.
"Sir: I am instructed by the president to call your attention to the enclosed report of an interview with you, appearing in the Associated Press newspapers of Tuesday, December 17th, and to enquire whether the observations upon the action of a co-ordinate branch of the service, in a matter now pending in the navy department, were made as reported, and if so, to afford you such opportunity for explanation in writing as you desire.

"Very respectfully,
"ELIHU ROOT
"Secretary of War.
"Lieutenant General Miles, Headquarters of the Army."

The interview referred to by Secretary Root was as follows:

"Cincinnati, Ohio, December 16.—General Nelson A. Miles, commanding the United States Army arrived here today, accompanied by Mrs. Miles. They are guests of Mr. and Mrs. Frank Wiborg, at Clifton. Mrs. Wiborg being a relative of Mrs. Miles. In speaking of the finding of the Schley court of inquiry, General Miles said:
"I am willing to take the judgment of Admiral Dewey in the matter. He has been a commander of a fleet and as such has known the anxieties and responsibilities which rest on a man under these circumstances. He was instrumental in the destruction of one Spanish fleet, and knows and realizes the feelings that encompass an officer under such conditions.

"I think Dewey has summed up the matter in a clear and concise manner, and I believe his conclusions will be endorsed by the patriotic people of the United States. I have no sympathy with the efforts which have been made to destroy the honor of an officer under such circumstances."

To the secretary's letter, General Miles made this reply:

"Headquarters of the Army, Washington, December 20.
"The Honorable, the Secretary of War.
"Sir:—Replying to your note of the 19th instant, I have the honor to state that my observation, as substantially reported had no reference to the action, pending or otherwise, of a co-ordinate branch of the service; it was merely my personal views based upon matters set forth in various publications which have been given to the world, and concerning which I conceive there was no impropriety in expressing an opinion the same as any other citizen upon a matter of such public interest.

"My observations were in no sense intended as a criticism of any action taken by a co-ordinate branch of the service, and the statement that I had no sympathy with any efforts to disparage a distinguished and gallant officer likewise had no such reference.

Very respectfully,
"NELSON A. MILES,
"Lieutenant General."

General Miles supplemented this letter with the following handed to the secretary today:

"Headquarters of the Army, Washington, December 21.
"The Honorable, the Secretary of War.
"Sir:—Referring to my note of yesterday, and in order that there may be no misunderstanding I desire to say that for several years a distinguished and gallant officer has been assailed by parties who have endeavored to write him and other high officials down, until finally, he appealed against such assaults to a co-ordinate branch of the government. That co-ordinate branch of the government granted him a court of inquiry, and, as I understand it, they unanimously exonerated him from such epithets as coward, poltroon, etc., and their opinions were given to the public for the information of all citizens. When I said that I had no sympathy with those who had endeavored to destroy the reputation of a high officer who, like all other officers, regards his honor more sacred than life, I had in mind and referred to those assaults against which the admiral had appealed for protection and justification and certainly not to a co-ordinate branch of the government. I request that this note be laid before the president, and have no objection to it being made public.

Very respectfully,
"NELSON A. MILES,
"Lieutenant General."

The reprimand is contained in the following letter of Secretary Root to General Miles:

"War Department, Washington, D. C., December 21.
"Sir:—By direction of the president, I communicate to you his conclusions upon your course in the interview to which your attention was called by my letter of the 19th instant.
"Your explanation of the public statement made by you is not satisfactory. You are in error if you suppose that you have the same right as any other citizen to express publicly an opinion regarding official questions pending the course of military discipline. The established and invariable rules of official propriety necessary to the effective discipline of the service impose limitations upon the public expressions of military officers with which your long experience should have made you familiar. Your duty is to express your opinion on official matters when called upon by your official superiors or in the course of your official reports and recommendations and not otherwise. The first article of the regulations governing the army of the United States provides:

"Deliberations or discussions among military men conveying praise or censure, or any mark of approval or toward others in the military service, are prohibited."

"This provision has been a part of the army regulations for at least half a century and the highest obligation to observe it rests upon the officers of the high rank should make them examples to their subordinates. Any other rule of action in the military service would be subversive of discipline. It would not be tolerated in any officer of whatever rank. The present facts are that for several years there had been unfortunate and bitter controversy in the navy department—a controversy generally deplored even by the participants, as tending to bring the service into disrepute and to destroy the relations of mutual confidence and friendship between naval officers which the interests of effective service require. In this controversy the army had not been involved and no harm had been raised to that good feeling and friendly relation between all the officers of the army which is essential to the successful and harmonious co-operation of the two services in preparation for action. A court of inquiry has been held on the matters in controversy and a report had been made in which one member of the court had dissented in some particulars from the majority, and the report was pending before review by the president. At this point you, the lieutenant general of the army, saw fit to make a public expression of your opinion as between the majority and the minority of the court, accompanied by a criticism of the most severe character which could not fail to be applied by the generality of readers to the naval officers against whose view your opinion was expressed.

"It is of no consequence on whose side your opinion was, or what it was. You had no business in the controversy and no right in holding the view which you did, to express any opinion. Your conduct was in violation of the regulation above cited and of the rules of official propriety; and you are justly liable to censure which you now express.

Very respectfully,
"ELIHU ROOT,
"Secretary of War.
"Lieutenant General Nelson A. Miles,
"Headquarters of the Army."

"P. S.—Your second letter of explanation, dated today, and received since the above was written, does not change the case. The necessity for repeated explanations but illustrates the importance of the rule which you have violated.

ELIHU ROOT,
"Secretary of War."

The fact that simultaneously with the publication of the Miles correspondence, Secretary Root gave out a copy of Secretary Long's order directing that MacLay's resignation be requested, taken in

JOHN BROWN PAPERS

BATCH OF LETTERS FOUND IN VIRGINIA STATE LIBRARY.

Their Value Not Yet Determined—They Consist of Letters to Brown from People in All Sections of the Country and from His Co-Prisoners to Their Friends—The First Never Received by Brown Nor the Latter Mailed to the Parties Addressed.

Richmond, Va., December 21.—The Richmond papers will, tomorrow, print what are known as recently discovered "John Brown papers," which were found in a lot of rubbish in the state library. It cannot be said that they throw any additional light on the John Brown raid into Virginia, which resulted in his arrest and execution. There is not a scratch of John Brown's pen among them. They are of two classes, viz:

Letters from people to Brown and his fellow-prisoners and letters from the prisoners to persons throughout the country. The prisoners never, it is supposed, saw the letters sent to them, and the letters written were never mailed.

Those to Brown and his associates are for the most part signed with initials only, and no prominent persons can be identified with them. They are largely from correspondents in New England, Ohio and Indiana.

Two letters to Brown from his sister Elizabeth are both poetic and pathetic, and it is evident she had no conception of the fate that was in store for him.

From marks on all the letters it is shown that they were inspected by Mr. Andrew Hunter, of the prosecution, or Governor Wise.

What value there is in the letters to the prisoners, if any, lies in their showing the widespread sympathy through the north with John Brown's desperate venture.

The letters from the prisoners tell nothing.

Search is now being made for a carpet-bag of Brown's, said to be hidden in the roof of the capitol building and to contain his diary and some of his documents. Many, however, doubt the existence of such a historical "treasure trove."

Several letters in the upturned batch, and written from the north, express pleasure that Brown had been captured. It is not at all certain that some of the letters have not been published before.

A few cases the letters to Brown and his band are written in red ink.

RUMORED ASSAULT ON ROOSEVELT.

Story Denied by the President and Those Who Witnessed the Occurrence.

Washington, December 21.—Both at the White house and at the British embassy an emphatic denial is made of the published story of an assault alleged to have been made upon the president Thursday afternoon. The president himself declares the story is not true and authorizes the denial of it. Lord Pauncefoot, the British ambassador, who is said to have been a witness of the assault, emphatically denies the statement.

The story of the assault grew out of the fact that an intoxicated man was lurking along Massachusetts avenue Thursday afternoon as the president was taking his daily walk and that the man brushed against the president. A secret service officer arrested the man, but it is understood he was soon afterwards released.

A sensational story that the president had been struck in the presence of Lord Pauncefoot, was printed in New York today.

ANOTHER BOILER EXPLOSION.

Frozen Pipes Cause a Disaster—Seven Men Badly Scalded.

Pittsburg, December 21.—For the third time within seventy-two hours Pittsburg steel workers have been killed or maimed by terrific explosion.

Following on the heels of the awful disasters at the Soho furnace of Jones & Laughlins on Thursday and at the Black Diamond steel works yesterday, the city was shocked this morning by the report of another explosion at Singer-Nimicks west-end plant of the Crucible Steel Company of America, in which seven men were scalded, one badly cut and twenty or thirty others slightly burned.

At 6:55 o'clock two of the battery of five boilers used to operate the sheet mill exploded with terrific force. Scalding water played havoc among the workmen, who had just started in for the day, while pieces of the boilers caused great destruction to the mill property. Of the seven men scalded, two, it is said, cannot recover.

The cause of the explosion was frozen pipes which supplied two boilers of the five with water. This freeze came sometime early this morning.

connection with the publication this morning of the final chapters of the Schley case, so far as it has figured before the navy department, is taken as an indication of the president's purpose to clear the official records of all pending issues in that matter.

Secretary Root's publication of the MacLay letter is explained by the fact that he left the White house some time after Secretary Long had been there and thus was in position to carry out the president's latest wish in the matter.

A SENTENCE COMMUTED

CHANGED FROM A YEAR'S IMPRISONMENT TO \$300 FINE.

The Governor Shows This Clemency to John B. Price, of New Bern—Peculiar Circumstances in This Case—Warrants for Pensions to be Returned to the Auditor, Where the Pensioners Die Before Delivery of the Warrants.

(Special to the Messenger.)

Raleigh, N. C., December 21.—The governor commuted the sentence of John B. Price, of Beaufort county, from a year in the penitentiary to \$300 fine. Price was convicted at Newbern and given a year's sentence, but Judge Bryan said if he paid \$300 he would remit the other sentence. Price went home after the money, but when he returned with it the term of court had ended and the judge could not alter the sentence, so he recommended to the governor to act. There were some sharp protests against any clemency to Price, but many prominent persons signed the petition for him.

State Auditor Dixon today sent the following important letter to all registrars of deeds:

"Owing to very great demand for pensions this year, the pension board decided that where a pensioner dies before his warrant reaches him the warrant must be returned to this office for cancellation in order that new warrants may be issued to other soldiers equally as deserving. If any of your pensioners have died, return the warrants to this office at once. Hitherto the pension board has been willing to give to the representatives of the persons who die, warrants in order to pay burial expenses, but, owing to the extreme pressure on the board this year, it makes the above ruling."

SECRETARY GAGE'S SUCCESSOR.

Governor Crane, of Massachusetts, Said to be the President's Choice.

Washington, December 21.—While no official confirmation can be obtained at the White house, it is believed that President Roosevelt has offered the treasury portfolio to Governor Crane, of Massachusetts and the latter now has the idea under advisement. One of the difficulties in the way of Governor Crane's acceptance is understood to be his connection with the paper company at Dalton, Mass., which furnishes the paper for government notes. This paper is prepared by a secret process and the government's contract with the Dalton Company is a large one. Should Governor Crane accept the treasury portfolio it is considered probable that he would dispose of his interest in the paper company.

Boston, December 21.—A close friend of Governor W. Murray Crane, today confirmed the report from Washington published today, stating that the governor had been offered the treasury portfolio by President Roosevelt and said that the governor had asked for time until next Monday before deciding whether or not he would accept.

A telephone message from Dalton, Crayton Crane's home, received here today, says that Governor Crane is considering the question with great thoroughness and is inclined to accept the position. Family and personal considerations cause the governor's hesitation.

CAPTAIN COOK DANGEROUSLY ILL.

At the Naval Hospital in Washington His Sons Summoned.

Washington, December 21.—Word was received at the bureau of navigation today that Captain Francis A. Cook, was lying dangerously ill at the naval hospital in this city. His condition was considered so critical that the department was asked to order H. E. Cook, who is now aboard the battleship Illinois, at New Orleans, to come to Washington immediately. Another of Captain Cook's sons passed assistant surgeon Frank C. Cook, is now at the naval hospital in this city in attendance upon his father.

Captain Cook's ailment is an affection of the heart. He has been in the hospital for several weeks past, first at the Norfolk navy yard, and later, in the hospital in this city.

At the naval hospital late tonight it was stated that Captain Cook's condition was much improved.

A FATAL FAMILY FEUD.

Ends in a Battle in Which Two Are Killed and Others Wounded.

Sanderson, Fla., December 21.—A terrific battle occupied at 6:30 o'clock tonight at Lee's tie camp, five miles from here between the Hogan and the Dorman families, all of whom are well known in this section. A feud has existed between the two families for a long time, and on former occasions a fight was almost precipitated. In the battle tonight the firing was intense for a few minutes.

The dead are Joshua Hogan and Willie Dorman. The wounded are Andrew Nain and Thad Dorman, who is said to be fatally wounded. Lewis Hogan is mysteriously missing and though his friends are looking for him he has not yet been found.

COLLEGIATE ATHLETICS.

Meeting of the Inter-Collegiate Association at Chapel Hill.

(Special to the Messenger.)

Chapel Hill, N. C., December 21.—The annual convention of the Southern Inter-Collegiate Athletic Association is in session at the University of North Carolina this afternoon and tonight. Fifteen colleges and universities are represented. The convention was called to or-

CLOSE OF SCHLEY CASE.

Secretary Long Decides all Controverted Points in Favor of Admiral Sampson.

der by Dr. Dudley, of Vanderbilt university.

Charges of violation of the rules of the association made against the athletic association of some of the institutions represented were referred to the executive committee. The committee recommended that the charges against the Georgia School of Technology and the University of Nashville be withdrawn; also that Sewanee and Vanderbilt universities be readmitted to membership in the association. The recommendations were adopted.

In regard to a controversy between the Athletic Associations of Tulane university and the University of Louisiana no action was taken.

Several changes in the constitution of the Southern Inter-Collegiate Association were made.

The convention is still in session at 10 o'clock tonight.

The most prominent matter before the convention seems to be the arrangement of provisions to prevent professionalism in college athletics.

Among the colleges and universities represented are Universities of Georgia, Tennessee, Texas, Louisiana and North Carolina, Mercer, Tulane, Sewanee, Vanderbilt and Nashville universities, Georgia and Alabama Polytechnic institutes and Cumberland and Clemson colleges. Delegates are for the most part from the faculties of these institutions. The convention is more largely attended than ever before, showing increased interest in college athletics.

POLITICS IN CUBA.

General Maso Withdraws from the Presidential Contest.

Havana, December 21.—The supporters of General Maso in his candidacy for the presidency of the republic have decided to take no part in the coming election, all the candidates of the party having withdrawn, and the Maso members of the provincial boards have been requested to resign. These steps were decided upon after the receipt of a letter from Governor General Wood, refusing to grant the party representation on the board of scrutiny or an extension of time in which to modify the voting list. At a meeting of the party leaders a resolution was adopted declaring that "the central board is a coalition of the partisans and that General Maso, after exhausting every means to insure impartiality, rectitude and justice at the coming election, has become convinced that neither in official circles in the United States nor in Cuba does the intention exist to see that the elections are carried out with sufficient legality to reflect the real wish of the Cubans, who are desirous of independence and anxious to freely elect their first constitutional government."

It was voted to inform Secretary Root of the decision arrived at and also to publish a manifesto to the country.

La Lucha records the withdrawal of the Maso candidates and says that without the guarantees asked from Secretary Root, every one knows that the election will be falsification of the will of the majority. Besides having the so-called conservatives with him, Maso is said to have a strong following among the blacks in the country districts and it is intimated in Havana tonight that this element may not take kindly to the present condition of things and may cause trouble. Maso conservative leaders, however, say they have no fear.

The Palma organ, The Discussion, asserts that the withdrawal of Maso's supporters is due to the fact that they are a helpless minority and that their candidates have no chance of being elected.

A TRAIN'S FEARFUL PLUNGE.

Falls Down a Mountain Side 130 Feet Three Men Killed.

Nashville, Tenn., December 21.—A fast freight on the Henderson division of the Louisville and Nashville railway while descending the heavy grade between Ridge Top and Bakers today jumped the track on a trestle and was precipitated 130 feet into the valley, killing three men and injuring one.

The dead are: Engineer Fitzgerald, brakemen Walter Anderson and John Eskridge. Conductor Meehan was probably fatally injured. The train is piled up in a heap and is a mass of debris.

A BRUSH WITH DE WET.

British Fight His Commando for Four Hours Before Their Repulse.

Harrismith, Orange River Colony, December 21.—The first fight in which General deWet has figured for some time, it is reported, occurred at Langterg on December 18th. It is considered rather a fiasco in the light of the recent ominous reports regarding the Lord general's rejuvenated commando. DeWet, with 800 men and two guns, clashed with Generals Darnell and Campbell. After a four hours' fight the Boers drew off, with a loss of four killed and twenty wounded. The British loss was one killed and fourteen were wounded.

At a special meeting of the board of managers of the New York produce exchange it was decided to close the exchange Tuesday, the day before Christmas.

He Approves the Finding of Facts and Expressions of Opinion of the Majority of the Court—He Decides Against Admiral Dewey on Every Point Where He Differs With His Associates—He Heartily Approves the Recommendation that No Further Action in the Matter be Had. He Says the Court Could Not With Propriety Have Gone Into the Question of Commander-in-Chief.

Washington, December 21.—Secretary Long has disposed finally of the Schley case so far as the navy department is concerned, by acting upon the findings and conclusions of the court of inquiry.

He approves the findings of fact and the opinion of the full court; he approves the majority opinion where there is a difference in the court; he holds that the court could not have entered into a consideration of the question of command at the battle of Santiago; and finally he accepts the recommendation that no further proceedings shall be had.

The secretary also has declined the application of Admiral Sampson's counsel to enter upon an inquiry into the question of command and has notified Admiral Schley's counsel of that fact as a reason for declining to hear them on that point.

Secretary Long's approval of the majority report was as follows:

"The department has read the testimony in this case, the arguments of counsel at the trial; the court's findings of fact, opinion and recommendation; the individual memoranda of the presiding member; the statement of exceptions to the said findings and opinion by the applicant; the reply to said statement by the judge advocate of the court and his assistant; and the brief this day submitted by counsel for Rear Admiral Sampson, traversing the presiding member's view as to who was in command at the battle of Santiago.

"After careful consideration the findings of fact and the opinion of the full court is approved.

"As to the points on which the presiding member differs from the opinion of the majority of the court, the opinion of the majority is approved.

"As to the further expression of his views by the same member with regard to the questions of command on the morning of July 3, 1898 and of the title to credit for the ensuing victory, the conduct of the court in making no finding and rendering no opinion on those questions is approved—indeed it could with propriety take no other course. Evidence on these questions, during the inquiry, having been excluded by the court.

"The department approves the recommendation of the court that no further proceedings be had in the premises.

"The department records its appreciation of the arduous labors of the whole court."

"JOHN D. LONG,
"Secretary of the Navy."

The text of the secretary's letters to Admiral Sampson's attorneys and to Admiral Schley follows:

"Navy Department, Washington, D. C., December 20.

"Gentlemen: In view of the department's approval, this day, of the recommendation of the court of inquiry in the case of Rear Admiral Schley, that no further proceedings be had, and of the fact that the question of command was excluded from consideration by the court, the department will take no action upon the brief filed by you in behalf of Rear Admiral William T. Sampson.

"Very respectfully,
"JOHN D. LONG,
"Secretary."

"Messrs. Strayton, Campbell & Theall."
"Navy Department."

"Washington, D. C., December 20.
"Sir:—Referring to the department's letter of the 18th instant, you are advised that action has been taken upon the findings, opinions and recommendations of the court of inquiry in your case and upon the minority opinion of the presiding member, and a copy of the endorsement embodying such action is herewith transmitted for your information.

"In response to your request of the 18th instant, heretofore acknowledged, that if a protest should be filed by Rear Admiral Sampson relative to the question of command of the American navy forces during the battle of Santiago and credit for the victory won in that battle, you be accorded an opportunity to present, through your counsel, oral argument against such protest, you are advised that a brief on this subject has this day been filed by Messrs. Strayton, Campbell & Theall, counsel for Admiral Sampson.

"In view, however, of the department's approval of the recommendation of the court of inquiry that no further proceedings be had, and of the fact that the question of command was excluded from consideration by the court, no action will be taken upon said brief, and reply to that effect (copy enclosed) has this day been made to counsel for Admiral Sampson.

"A copy of the report of the judge advocate of the court and his assistant, upon your communication of the 18th instant, objecting to the approval of the findings of the court, is also herewith transmitted.

"Very respectfully,
"JOHN D. LONG,
"Secretary."

"Rear Admiral Wilfred S. Schley, U. S. N., retired."

When seen at his hotel this afternoon (Continued on Fifth Page.)